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*Suzanne Henderson*

Suzanne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

**AMENDMENT OF OIL, GAS AND MINERAL LEASE**

STATE OF TEXAS       }  
COUNTY OF TARRANT }

WHEREAS, **W R Rose Investments Inc., Trustee**, as Lessor, executed an Oil, Gas and Mineral Lease, dated August 29, 2006, to **XTO Energy Inc.**, Lessee, recorded in Clerk No. D206382025, Official Public Records of Tarrant County, Texas, whereby Lessor leased certain lands situated in Tarrant County, Texas, to wit:

11.8 acres, more or less, out of the L. B. Ledbetter Survey Abstract 964, Tarrant County, Texas, and being more particularly described in Deed dated September 24, 1990, in Volume 10060, Page 979, Deed Records, Tarrant County, Texas.

NOW THEREFORE it is the desire of the Lessee and Lessor, to amend Paragraph 5 of Exhibit "A" to the Lease, by deleting Paragraph 5 of Exhibit "A" to the Lease, in its entirety and replacing Paragraph 5 of Exhibit "A" to the Lease as follows:

**DEEP RIGHTS RELEASE**

Two (2) years following the expiration of the primary term of this lease or upon the expiration of any extension or renewal of the primary term, whichever occurs last, Lessee shall release all rights lying one hundred feet (100') below the stratigraphic equivalent of the base of the deepest formation drilled; provided, however, if Lessee is then engaged in operations on the leased premises or on lands pooled therewith, this lease shall remain in full force and effect as to all depths so long as no more that ninety (90) days elapse between said operations.

AND, for the same consideration recited above, I, or we, the undersigned, jointly and severally, do hereby adopt, ratify and confirm The Lease, and all of its provisions, except as herein modified.

IN WITNESS WHEREOF, this Amendment is executed by the undersigned on the respective date of acknowledgment below, but is effective as of the date of August 29, 2006, date of "the Lease".

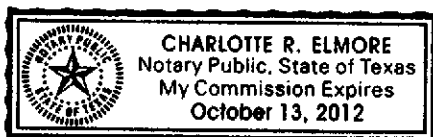
LESSOR: W R ROSE INVESTMENTS INC., TRUSTEE

W R Rose Pres  
By: W. R. Rose, President

**ACKNOWLEDGMENT**

STATE OF TEXAS       }  
COUNTY OF Dallas }

This instrument was acknowledged before me on the 18<sup>th</sup> day of February, 2009, by W. R. Rose, President of W R Rose Investments Inc., Trustee, in the capacity therein stated.



Charlotte R Elmore  
Notary Public, State of Texas

Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt# 1136  
Fort Worth, TX 76137

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